## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Machold et al.

Divisional of Serial No. 09/707,257

filed November 6, 2000

For: METHOD AND SYSTEM FOR CONTROL OF A PATIENT'S BODY TEMPERATURE BY WAY OF A TRANSLUMINALLY INSERTABLE HEAT EXCHANGE CATHETER Prior Examiner: Robert L. Nasser

Group Art Unit: 3736

Client ID/Matter No. RADME-64795

Express Mail Label No. EV 327058775 US

August 20, 2003

## INFORMATION DISCLOSURE STATEMENT

MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The documents listed on the enclosed form PTO-1449 (Modified) have come to the attention of the applicant and are submitted to the Office under 37 C.F.R. § 1.97. As provided under 37 C.F.R. § 1.98(a), copies of the listed references have not been enclosed because the information listed on Form PTO-1449 (Modified) was previously cited by or submitted to the Office in related application U.S. Serial No. 09/707,257, filed November 6, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. However, should the examiner wish to receive copies of these references, applicant will provide them upon request. Applicant respectfully requests that the foregoing citations

**PATENT** 

considered and made of record. This statement is not a representation that all of the information cited is necessarily effective as prior art against the present application or

that a prior art search was performed.

This Information Disclosure Statement is being submitted pursuant to 37 CFR 1.97(b)(3), and therefore no fee is due. However, if a fee is in fact due, the Commissioner is authorized to charge any additional fee(s) to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

Bv

John K Fitzgerald

Registration No. 38,881

JKF/RCS:vmm/gbr

Enclosures: Form 1449 (Modified) (8 pgs.)

Howard Hughes Center 6060 Center Drive, Tenth Floor Los Angeles, CA 90045

Telephone: (310) 824-5555 Facsimile: (310) 824-9696

Customer No. 24201

22456.1

- 2 - Docket No.: RADME - 64795

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FORM	PTO-1	449 (Modified)		Docket No.: RADME-64795   Serial No.:				
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		3,425,419	02/04/69	Dato				
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17		4,246,932	01/27/81	Raines				
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<sup>\*</sup> Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. ¶ 609. Draw line through citation (i.e., citation) if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM	PTO-1	449 (Modified)		Docket No.: RADME-64795	Seria	al No.:		
FOR A	PPLICA DSURE	ENTS AND PUB ANT'S INFORMA STATEMENT		Applicant: Machold et al.  Filing Date: Prior Art Unit: 3736				
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*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing (if app	Date licable)
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		4,661,094	04/28/87	Simpson				
		4/662,383	05/05/87	Sogawa et al.				
		4,672,962	06/16/87	Hershenson				
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		4,758,431	07/19/88	Osterholm				
		4,769,005	09/06/88	Ginsburg et al.				
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		4,857,054	08/15/89	Helfer				
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		4,963,130	10/16/90	Osterholm				
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Page 4	of 8			Filing Date: Prior Art Unit: 3736				
		U	NITED STATE	ES PATENT DOCUMENTS				
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)	
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		5,211,631	05/18/93	Sheaff				
		5,216,032	06/01/93	Manning				
		5,234,405	08/10/93	Klatz et al.				
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			FOREIGN F	PATENT DOCUMENTS				
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Į.		6,287,326 B1	09/11/01	Pecor				
M		6,290,717 B1	09/18/01	Philips				
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PTO/SB/08A (08-00)
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Substitute for form 1449A/F	rτο			Complete if Known			
				Application Number			
INFORMATIO	N DISCLO	SUR	E	Filing Date			
STATEMENT BY APPLICANT				First Named Inventor	Machold et al.		
				Group Art Unit	Prior: 3736		
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Sheet	6	of	8	Attorney Docket Number	RADME- 64795		

Examiner	Cite	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate),	
Initials	No.	title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Ľ
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PTO/SB/08A (08-00)
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INFORMATI	ON DISCL	OSURE		Filing Date			
STATEMENT BY APPLICANT				First Named Inventor	Machold et al.		
				Group Art Unit	Prior: 3736		
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Sheet	7	of	8	Attorney Docket Number	RADME: 64795		

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T.ª
		GINSBERG, M. et al., "Therapeutic Modulation of Brain Temperature: Relevance to Ischemic Brain Injury," Cerebrovascular and Brain Metabolism Reviews, "(1992), pp. 189-225, Vol. 4, No. 3	
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Examiner	Date	
Signature	Considered	

PT0/SB/08A (08-00)
Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449	A/PYO				Complete if Known	
				Application Number		
INFORMAT	ION DISCL	.OSURE	•	Filing Date		
STATEMEN				First Named Inventor	Machold et al.	
				Group Art Unit	Prior: 3736	
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Sheet	8	of	8	Attorney Docket Number	RADME-64795	_

Examiner Initials	Cite No.	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	r
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